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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,702	06/04/2001	Jong-Cheol Bae	678-670(P9675)	4963

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DILWORTH & BARRESE, LLP
333 EARLE OVINGTON BLVD.
UNIONDALE, NY 11553

EXAMINER

DEAN, RAYMOND S

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/873,702

Applicant(s)

BAE, JONG-CHEOL

Examiner

Raymond S Dean

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see remarks, filed June 24, 2004 with respect to the objection to Claim 8 have been fully considered and are persuasive. The objection of Claim 8 has been withdrawn.

Applicant's arguments filed June 24, 2004 with respect to the rejection of Claims 1, 3, and 5 have been fully considered but they are not persuasive. Lietsalmi teaches an S-BCCH that contains an index message that comprises fields of information such as: a Message Type Field, which is the header that indicates the type of message being broadcast, and the Broadcast Message category field, which contains a code that corresponds to said message type (Column 2 lines 11 – 24, Column 2 lines 52 – 57). Jung and Lietsalmi both teach a wireless system that employs a CBS thus it would have been obvious to one of ordinary skill in the art to use the S-BCCH taught by Lietsalmi in the system of Jung for the purposes of facilitating the ease of use of said CBS for both users and service providers and increasing the speed and efficiency of user operations as taught by Lietsalmi.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 – 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jung et al. (6,097,949) in view of Lietsalmi et al. (US 6,370,391 B1).

Regarding Claim 1, Jung teaches a method of transmitting broadcasting information to a mobile station by utilizing a cell broadcasting service (CBS) (Column 2 lines 23 - 37), and transmitting the generated message by utilizing the CBS (Column 2 lines 23 – 37).

Jung does not specifically teach a method comprising: converting broadcasting information to a predetermined message code according to type and contents of the broadcasting information and generating a message having a header indicating the type of the broadcasting information and the predetermined message code in a format predetermined depending on the type of the broadcasting information.

Lietsalmi teaches a method comprising: converting broadcasting information to a predetermined message code according to type and contents of the broadcasting information (Column 2 lines 11 – 24, Column 2 lines 33 – 67, the contents of the broadcasting information are coded in the S-BCCH) and generating a message having a header indicating the type of the broadcasting information and the predetermined message code in a format predetermined depending on the type of the broadcasting information (Column 2 lines 46 – 67, the S-BCCH is the header comprising different message codes, each message code corresponds to a particular content of broadcast information).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the S-BCCH index method taught in Lietsalmi in the CBS system of Jung for the purposes of facilitating the ease of use of said CBS for both users and service providers and increasing the speed and efficiency of user operations.

Regarding Claim 2, Jung in view of Lietsalmi teaches all of the claimed limitations recited in Claim 1. Lietsalmi further teaches wherein if the broadcasting information is weather information, the predetermined message code includes an area code, a date code, a time code, and a weather code (Column 2 lines 11 – 24, the S-BCCH can be coded to reflect various contents, since arrival and departure content encompasses area content there is an inherent coding of said area content).

Regarding Claim 3, Jung teaches a method of receiving broadcasting information in a mobile station by utilizing a cell broadcasting service (CBS) (Column 2 lines 23 - 37) and recovering broadcasting information by comparing a message code of the CBS message with a predetermined code (Figure 3, Column 3 lines 1 – 20, Column 3 lines 26 – 42).

Jung does not specifically teach a method comprising: checking a header of a CBS message upon receipt of the CBS message; and a code that corresponds to type and contents indicated by the header of the CBS message, if the header indicates there is a coded message.

Lietsalmi teaches a method comprising: checking a header of a CBS message upon receipt of the CBS message (Column 2 lines 46 – 67, the S-BCCH is the header) and a code corresponding to type and contents indicated by the header of the CBS

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message, if the header indicates there is a coded message (Column 2 lines 11 – 24, Column 2 lines 33 – 67, the contents of the broadcasting information are coded in the S-BCCH).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the S-BCCH index and header method taught above in Lietsalmi in the CBS system of Jung for the purposes of increasing the speed and efficiency of user operations and facilitating the ease of use of said CBS for both users and service providers.

Regarding Claim 4, Jung in view of Lietsalmi teaches all of the claimed limitations recited in Claim 3. Lietsalmi further teaches wherein if the broadcasting information is weather information, the message code includes an area code, a date code, a time code, and a weather code (Column 2 lines 11 – 24, the S-BCCH can be coded to reflect various contents, since arrival and departure content encompasses area content there is an inherent coding of said area content).

Regarding Claim 5, Jung teaches a method of transmitting and receiving broadcasting information by a cell broadcasting service (CBS) in a mobile telecommunication system (Column 2 lines 23 - 37) and recovering broadcasting information by comparing a message code of the CBS message with a predetermined code (Figure 3, Column 3 lines 1 – 20, Column 3 lines 26 – 42).

Jung does not specifically teach converting broadcasting information to a predetermined message code according to type and contents of the broadcasting information; generating a message having a header indicating the type of the

broadcasting information and the predetermined message code in a format predetermined depending on the type of the broadcasting information; transmitting the generated message by utilizing the CBS; receiving the CBS message; checking the header of the CBS message upon receipt of the CBS message in a mobile station; and a code corresponding to the type and contents indicated by the header of the CBS message, if the header indicates there is a coded message.

Lietsalmi teaches converting broadcasting information to a predetermined message code according to type and contents of the broadcasting information (Figure 10, Column 2 lines 11 – 24, Column 2 lines 33 – 67, the contents of the broadcasting information are coded in the S-BCCH) and generating a message having a header indicating the type of the broadcasting information and the predetermined message code in a format predetermined depending on the type of the broadcasting information (Column 2 lines 46 – 67, the S-BCCH is the header comprising different message codes, each message code corresponds to a particular content of broadcast information); transmitting the generated message by utilizing the CBS (Column 2 lines 46 – 67); receiving the CBS message; checking the header of the CBS message upon receipt of the CBS message in a mobile station (Column 2 lines 46 – 67, the S-BCCH is the header); and a code corresponding to the type and contents indicated by the header of the CBS message, if the header indicates there is a coded message (Column 2 lines 11 – 24, Column 2 lines 33 – 67, the contents of the broadcasting information are coded in the S-BCCH).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the S-BCCH index and header method taught above in Lietsalmi in the CBS system of Jung for the purposes of increasing the speed and efficiency of user operations and facilitating the ease of use of said CBS for both users and service providers.

Regarding Claim 6, Jung in view of Lietsalmi teaches all of the claimed limitations recited in Claim 5. Lietsalmi further teaches wherein if the broadcasting information is weather information, the message code includes an area code, a date code, a time code, and a weather code (Column 2 lines 11 – 24, the S-BCCH can be coded to reflect various contents, since arrival and departure content encompasses area content there is an inherent coding of said area content).

Regarding Claim 7, Lietsalmi teaches all of the claimed limitations recited in Claim 6. Jung further teaches determining if a display state is active, and displaying the CBS message if the display state is active (Column 3 lines 26 – 42, the display state will become active for those mobile devices in Group A thus there is an inherent determination of said display state).

Regarding Claim 8, Lietsalmi teaches all of the claimed limitations recited in Claim 6. Jung further teaches determining if a display state is active, and storing the CBS message if the display state is not active (Column 3 lines 26 – 46, the display state will not become active for those mobile devices in Group B thus there is an inherent determination of said display state, since this is a CBS message all mobile devices will simultaneously receive and store said message thus this is an inherent characteristic).

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond S Dean whose telephone number is 703-305-8998. The examiner can normally be reached on 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay A Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Raymond S. Dean
October 8, 2004


NAY MAUNG

SUPERVISORY PATENT EXAMINER